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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
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11  
12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 vs.

15 DANIEL RANGEL,

16 Defendant.  
17

) CR NO. 07-00788 JF (NC)  
)  
)  
)

) **UNOPPOSED** MOTION FOR EXTENSION  
) OF TIME TO FILE TWO PAGE LETTER  
) BRIEF RE OUTSTANDING DISCOVERY  
) ISSUES, AND  
)

) ~~[PROPOSED]~~ ORDER THEREFORE  
)

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19 On February 23, 2012, the Court issued an Order setting a variety of dates for case  
20 management purposes. One of the items in this Order stated that “on March 7, 2012, Defendants  
21 may file a two-page letter brief raising any outstanding discovery issues. The government may  
22 file a two-page letter brief in response on March 14, 2012. No reply brief shall be filed.”  
23 Docket # 442. The next date after that is the status conference and hearing on motion to dismiss  
24 set for March 21.

25 Undersigned counsel was under the mistaken impression that the March 7 date had been  
26 moved along with and in tandem with the movement of other motions dates. In addition, there  
27 has been a considerable amount of paper and electronic discovery produced immediately before  
28 and also after the last hearing, up to and including the voluntary and cooperative production by

1 the government just today (March 7) of one of the previously disputed items I had requested. I  
2 am not sure how many, if any, discovery issues remain outstanding between the government and  
3 Mr. Rangel, and it is quite possible that there are none. However, in order to be certain I need  
4 more time to review the discovery I have received since the last hearing and discuss it with the  
5 government. Additionally, yesterday and today I was in Pasadena for an oral argument in a  
6 Ninth Circuit case (Flournoy v. Small), and was unable to work on this matter.

7 Accordingly, I respectfully request an extension of time to file a letter brief of up to two  
8 pages from Wednesday March 7 to Monday, March 12. Similarly, I request that the deadline for  
9 the government to respond be extended to March 19. No replies would be allowed. This would  
10 still have such matters, if any, brought to the Court's attention two days prior to the upcoming  
11 hearing.

12 The prosecutor, Mr. Nedrow, has graciously indicated that he has no objection to this  
13 request.

14 A proposed Order is below.

15 March 7, 2012

Respectfully submitted,

16  
17 /s/ Mark D. Eibert  
18 Mark D. Eibert  
19 Attorney for Defendant Daniel Rangel  
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IT IS SO ORDERED.

*Lucy H. Koh*  
HON. LUCY H. KOH  
UNITED STATES DISTRICT JUDGE